

JAN 03 2007.

PATENT

Attorney Docket No. VM7010742001
Varian No. Varian 01-005USREMARKS

Amendment to claim 45 is for the purpose of clarifying what Applicants regard as the invention. No new matter has been added.

I. ALLOWED CLAIMS

Applicants wish to thank the Examiner for allowing claims 1-31, 33-39, 42-44, 46, and 55-60.

II. CLAIM REJECTIONS UNDER U.S.C. § 103

Claims 45 and 49 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 4,361,901 (Daniels) in view of U.S. Patent No. 6,055,295 (Murthy).

Claim 45 has been amended to recite a control module coupled to the projection detector and to the beam adjuster, wherein the control module is configured to control the beam adjuster to cover at least a portion of a body. Applicants agree with the Examiner that Daniels does not disclose a control module coupled to a projection detector and to a beam adjuster. According to the Office Action, column 3, lines 1-2 and the abstract of Murthy allegedly disclose such module. Notably, in Murthy, the collimator 16 is adjusted *to substantially cover the non-body regions and substantially expose the body regions* (col 3, ln 21-30). As such, Murthy does not disclose or suggest controlling a beam adjuster to cover at least a portion of a body, as recited in amended claim 45. For at least the foregoing reasons, claim 45 and its dependent claims are believed allowable over Daniels, Murthy, and their combination.

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Based on the foregoing, all remaining claims are believed in condition for allowance. If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7010742001. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7010742001.

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